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6 April 1995
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GENERAL ASSEMBLY
Fiftieth session
Item 68 of the preliminary list*
CONCLUSION OF EFFECTIVE INTERNATIONAL ARRANGEMENTS TO ASSURE NON-NUCLEAR-WEAPON STATES AGAINST THE USE OR THREAT OF USE OF NUCLEAR WEAPONS

SECURITY COUNCIL
Fiftieth year

Letter dated 6 April 1995 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of a statement dated 5 April 1995 by the representative of the Ministry of Foreign Affairs of the Russian Federation regarding the presentation of security assurances to non-nuclear-weapon States (see annex I) and a statement dated 5 April 1995 by the Ministry of Foreign Affairs of the Russian Federation consisting of a national statement on negative security assurances for non-nuclear-weapon States (see annex II).

I should be grateful if you could have the text of this letter and its annexes circulated as a document of the General Assembly, under item 68 of the preliminary list of items to be included in the provisional agenda of the fiftieth session, entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons", and of the Security Council.

(Signed) S. LAVROV

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ANNEX I

Statement dated 5 April 1995 by the representative of the Ministry of Foreign Affairs of the Russian Federation

Recognizing the fundamental importance of the Treaty on the Non-Proliferation of Nuclear Weapons, respecting the legitimate desire of non-nuclear-weapon States parties to that Treaty to receive assurances that nuclear weapons will not be used against them, based on the provisions of the military doctrine of the Russian Federation, the Ministry of Foreign Affairs of the Russian Federation is authorized to make the following statement (see annex).

It should be pointed out, furthermore, that as the President of the Russian Federation proposed at the forty-ninth session of the General Assembly, work on a further United Nations Security Council resolution on security assurances for non-nuclear-weapon States has been harmonized. The draft resolution, prepared with the participation of Russian representatives, is being submitted to the Security Council for its consideration. The main provisions of the draft resolution are as follows:

In the event of aggression involving the use of nuclear weapons or the threat of such aggression against a non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons, the nuclear Powers which are permanent members of the Security Council will immediately bring the matter to the attention of the Council and will seek to ensure that they provide, in accordance with the Charter, necessary assistance to the State that is a victim of such an act of aggression or that is threatened by such aggression.

The draft resolution provides, further on, for the possibility of taking appropriate measures in response to a request from the victim of such an act of aggression for technical, medical, scientific or humanitarian assistance and for payment of compensation by the aggressor for loss, damage or injury sustained as a result of the aggression.

We believe that the adoption by the Security Council of this draft resolution would be welcomed by the non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons and would help strengthen the non-proliferation regime, international solidarity and world stability.

ANNEX II

Statement of the Ministry of Foreign Affairs
of the Russian Federation

5 April 1995

Russian Federation will not use nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, except in the case of an invasion or any other attack on the Russian Federation, its territory, its armed forces or other troops, its allies or on a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State.

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SECURITY COUNCIL
Fiftieth year

Letter dated 6 April 1995 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a declaration by the United Kingdom of Great Britain and Northern Ireland on security assurances, issued by my Government on 6 April 1995 at the Conference on Disarmament in Geneva (see annex).

In issuing this declaration, my Government recognises that those States which have renounced nuclear weapons are entitled to look for assurances that such weapons will not be used against them. The revised negative security assurance now given in the Conference on Disarmament by the United Kingdom is a solemn and formal undertaking by my Government which meets these concerns. The positive security assurance also contained in the declaration reiterates and expands on the assurance which my Government gave in 1968 by recognising the desire of non-nuclear-weapon States to be reassured that the nuclear-weapon States would take appropriate measures in the event of the former being attacked or threatened with nuclear weapons.

These assurances have been given by my Government after consultation with the other nuclear-weapon States. They are extended to non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and demonstrate the continuing determination of the nuclear-weapon States to strengthen and make permanent that Treaty.

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I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under item 68 of the preliminary list, and of the Security Council.

(Signed) David H. A. HANNAY

ANNEX

United Kingdom of Great Britain and Northern Ireland declaration on security assurances made in the plenary session of the Conference on Disarmament on 6 April 1995 by Sir Michael Weston, United Kingdom Permanent Representative to the Conference on Disarmament in Geneva

The Government of the United Kingdom believes that universal adherence to and compliance with international agreements seeking to prevent the proliferation of weapons of mass destruction are vital to the maintenance of world security. We note with appreciation that 175 States have become parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

We believe that the Treaty on the Non-Proliferation of Nuclear Weapons is the cornerstone of the international non-proliferation regime which has made an invaluable contribution to international peace and security. We are convinced that the Treaty should be extended indefinitely and without conditions.

We will continue to urge all States that have not done so to become parties to the Treaty.

The Government of the United Kingdom recognises that States which have renounced nuclear weapons are entitled to look for assurances that nuclear weapons will not be used against them. In 1978 we gave such an assurance. Assurances have also been given by the other nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Recognising the continued concern of non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons that the assurances given by nuclear-weapon States should be in similar terms, and following consultation with the other nuclear-weapon States, I accordingly give the following undertaking on behalf of my Government:

The United Kingdom will not use nuclear weapons against non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons except in the case of an invasion or any other attack on the United Kingdom, its dependent territories, its armed forces or other troops, its allies or on a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State.

In giving this assurance the United Kingdom emphasises the need not only for universal adherence to, but also for compliance with, the Treaty on the Non-Proliferation of Nuclear Weapons. In this context I wish to make clear that Her Majesty's Government does not regard its assurance as applicable if any beneficiary is in material breach of its own non-proliferation obligations under the Treaty on the Non-Proliferation of Nuclear Weapons.

In 1968 the United Kingdom declared that aggression with nuclear weapons, or the threat of such aggression, against a non-nuclear-weapon State would

create a qualitatively new situation in which the nuclear-weapon States which are Permanent Members of the United Nations Security Council would have to act immediately through the Security Council to take the measures necessary to counter such aggression or to remove the threat of aggression in accordance with the United Nations Charter, which calls for taking "effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace". Therefore, any State which commits aggression accompanied by the use of nuclear weapons or which threatens such aggression must be aware that its actions are to be countered effectively by measures to be taken in accordance with the United Nations Charter to suppress the aggression or remove the threat of aggression.

I, therefore, recall and reaffirm the intention of the United Kingdom, as a Permanent Member of the United Nations Security Council, to seek immediate Security Council action to provide assistance, in accordance with the Charter, to any non-nuclear-weapon State, party to the Treaty on the Non-Proliferation of Nuclear Weapons, that is a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used.

This Security Council assistance could include measures to settle the dispute and restore international peace and security, and appropriate procedures, in response to any request from the victim of such an act of aggression, regarding compensation under international law from the aggressor for loss, damage or injury sustained as a result of the aggression.

If a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons is a victim of an act of aggression with nuclear weapons, the United Kingdom would also be prepared to take appropriate measures in response to a request from the victim for technical, medical, scientific or humanitarian assistance.

The United Kingdom reaffirms in particular the inherent right, recognised under Article 51 of the Charter, of individual and collective self-defence if an armed attack, including a nuclear attack, occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

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SECURITY COUNCIL
Fiftieth year

Letter dated 6 April 1995 from the Chargé d'affaires a.i.
of the Permanent Mission of the United States of America
to the United Nations addressed to the Secretary-General

I have the honour to forward herewith a statement by the Secretary of State of the United States of America, issued yesterday, announcing a declaration by President Clinton on security assurances for non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (see annex).

I would be grateful if you would arrange to have the present letter and its annex circulated as a document of the General Assembly, under item 68 of the preliminary list, and of the Security Council.

(Signed) Edward W. GNEHM

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ANNEX

Statement issued on 5 April 1995 by the Honourable Warren Christopher, Secretary of State, regarding a declaration by the President on security assurances for non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

The United States of America believes that universal adherence to and compliance with international conventions and treaties seeking to prevent the proliferation of weapons of mass destruction is a cornerstone of global security. The Treaty on the Non-Proliferation of Nuclear Weapons is a central element of this regime. 5 March 1995 was the twenty-fifth anniversary of its entry into force, an event commemorated by President Clinton in a speech in Washington, D.C., on 1 March 1995. A conference to decide on the extension of the Treaty will begin in New York on 17 April 1995. The United States considers the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons without conditions as a matter of the highest national priority and will continue to pursue all appropriate efforts to achieve that outcome.

It is important that all parties to the Treaty on the Non-Proliferation of Nuclear Weapons fulfil their obligations under the Treaty. In that regard, consistent with generally recognized principles of international law, parties to the Treaty on the Non-Proliferation of Nuclear Weapons must be in compliance with these undertakings in order to be eligible for any benefits of adherence to the Treaty.

The United States reaffirms that it will not use nuclear weapons against non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons except in the case of an invasion or any other attack on the United States, its territories, its armed forces or other troops, its allies, or on a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State.

Aggression with nuclear weapons, or the threat of such aggression, against a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons would create a qualitatively new situation in which the nuclear-weapon-State permanent members of the United Nations Security Council would have to act immediately through the Security Council, in accordance with the Charter of the United Nations, to take the measures necessary to counter such aggression or to remove the threat of aggression. Any State which commits aggression accompanied by the use of nuclear weapons or which threatens such aggression must be aware that its actions are to be countered effectively by measures to be taken in accordance with the Charter to suppress the aggression or remove the threat of aggression.

Non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons have a legitimate desire for assurances that the United Nations Security Council, and above all its nuclear-weapon-State permanent members, would act immediately in accordance with the Charter, in the event such

non-nuclear-weapon States are the victim of an act of, or object of a threat of, aggression in which nuclear weapons are used.

The United States affirms its intention to provide or support immediate assistance, in accordance with the Charter, to any non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act of, or an object of a threat of, aggression in which nuclear weapons are used.

Among the means available to the Security Council for assisting such a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons would be an investigation into the situation and appropriate measures to settle the dispute and to restore international peace and security.

United Nations Member States should take appropriate measures in response to a request for technical, medical, scientific or humanitarian assistance from a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act of aggression with nuclear weapons, and the Security Council should consider what measures are needed in this regard in the event of such an act of aggression.

The Security Council should recommend appropriate procedures, in response to any request from a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons that is the victim of such an act of aggression, regarding compensation under international law from the aggressor for loss, damage or injury sustained as a result of the aggression.

The United States reaffirms the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defence if an armed attack, including a nuclear attack, occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

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SECURITY COUNCIL
Fiftieth year

Letter dated 6 April 1995 from the Permanent Representative of France to the United Nations addressed to the Secretary-General

Acting upon instructions from my Government, I have the honour to draw your attention to the contents of the declaration on security assurances made on behalf of France by the Permanent Representative of France to the Conference on Disarmament on 6 April 1995 (see annex).

I should be grateful if you would have this document and its annex circulated as a document of the General Assembly, under item 68 of the preliminary list, and of the Security Council.

(Signed) Jean-Bernard MERIMEE

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ANNEX

Statement concerning security assurances to non-nuclear-weapon States made by the Permanent Representative of France to the Conference on Disarmament on 6 April 1995

The issue of security assurances given by the nuclear Powers to the non-nuclear-weapon States is, for my delegation, an important one:

Firstly, because it corresponds to a real expectation on the part of the non-nuclear-weapon States, particularly those which, have renounced atomic weapons by signing the Treaty on the Non-Proliferation of Nuclear Weapons;

Secondly, because it involves our particular responsibilities as a nuclear Power;

Finally, because it has acquired new meaning since the end of the cold war, with the growing awareness of the threat which the proliferation of nuclear weapons represents for everyone.

It is in order to meet that expectation, to assume its responsibilities and to make its contribution to efforts to combat the proliferation of nuclear weapons that France has decided to take the following steps:

Firstly, it reaffirms, and clarifies, the negative security assurances which it gave in 1982, specifically:

France reaffirms that it will not use nuclear weapons against non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, except in the case of an invasion or any other attack on France, its territory, its armed forces or other troops, or against its allies or a State towards which it has a security commitment, carried out or sustained by such a State in alliance or association with a nuclear-weapon State.

It seems to us natural that it is the signatory countries to the Treaty on the Non-Proliferation of Nuclear Weapons - that is to say, the overwhelming majority of countries in the world - who should benefit from these assurances, since they have made a formal non-proliferation commitment. Furthermore, in order to respond to the request of a great many countries, France has sought as much as possible to harmonize the content of its negative assurances with those of the other nuclear Powers. We are pleased that this effort has been successful. The content of the declarations concerning the negative security assurances of France, the United States of America, the Russian Federation and the United Kingdom of Great Britain and Northern Ireland are henceforth practically identical.

Secondly, and for the first time, France has decided to give positive security assurances to all non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. Its accession to the Treaty made this decision both possible and desirable. Accordingly:

"France considers that any aggression which is accompanied by the use of nuclear weapons would threaten international peace and security. France recognizes that the non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons are entitled to an assurance that, should they be attacked with nuclear weapons or threatened with such an attack, the international community and, first and foremost, the United Nations Security Council, would react immediately in accordance with the obligations set forth in the Charter.

"Having regard to these considerations, France makes the following declaration:

"France, as a Permanent Member of the Security Council, pledges that, in the event of attack with nuclear weapons or the threat of such attack against a non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons, France will immediately inform the Security Council and act within the Council to ensure that the latter takes immediate steps to provide, in accordance with the Charter, necessary assistance to any State which is the victim of such an act or threat of aggression.

"France reaffirms in particular the inherent right, recognized in Article 51 of the Charter, of individual or collective self-defence if an armed attack, including an attack with use of nuclear weapons, occurs against a Member of the United Nations until the Security Council has taken measures necessary to maintain international peace and security."

In this area also, we are pleased that the content of these positive assurances has been the subject of close consultations with the other nuclear Powers.

Thirdly, France, with the four other nuclear Powers, has decided to submit to the United Nations Security Council a draft resolution which constitutes a first in many respects, and which reflects our intention to meet the expectations of the international community globally, collectively and specifically;

Globally: for the first time, a draft resolution deals with both negative and positive assurances;

Collectively: for the first time, a resolution of the Security Council specifies the measures which the Security Council could take in the event of aggression, in the areas of the settlement of disputes, humanitarian assistance and compensation to the victims.

The draft resolution solemnly reaffirms the need for all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to fully respect their obligations. That is not a petitio principii, but a reminder of a fundamental rule. The draft resolution also emphasizes the desirable nature of universal accession to the Treaty.

The decisions which I have just announced correspond to our intention to consolidate the non-proliferation regime and particularly the Treaty on the Non-Proliferation of Nuclear Weapons, which is the cornerstone of that regime. It is our hope and firm conviction that the initiatives we have just taken will contribute thereto.